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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/166,488	10/05/1998	GREGORY F. BECK	36J.P164	9206

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EXAMINER

KING, JUSTIN

ART UNIT PAPER NUMBER

2181

DATE MAILED: 03/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/166,488

Applicant(s)

BECK ET AL.

Examiner

Justin I King

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- ☐ Interview Summary (PTO-413) Paper No(s) ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

DETAILED ACTION

Specification

1. The attempt to incorporate subject matter into this application by reference to “Digital Video Network Interface” is incomplete because the related U.S. patent or patent application number is not provided (line 4 on page 1).
2. The software layer mentioned in the Description of The Prior Art is not explicitly discussed or referred to in the remaining of the Description of The Prior Art. Examiner recommends to remove the brackets and its enclosed content on page 2, lines 18-19.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-10, 14-17, and 26-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 1: Claim 1 recites the limitation "the prefixed header" in line 14, which lacks antecedent basis in the claim. Claim 1 recites "header" in lines 12 and 15", and "prefixed header" in line 14. Further clarification is necessary to distinguish "header" and "prefixed header".

Referring to claim 3: Claim 3 recites "header" in line 32, which lacks antecedent basis in the claim and is indefinite. The parent claim 1 recites "header" in lines 12 and 15", and "prefixed header" in line 14. Further clarification is necessary to distinguish "header" and "prefixed header".

Referring to claim 4: Claim 4 recites "header" and "1394 header" in lines 3-4 on page 24, which lacks antecedent basis in the claim and is indefinite. The parent claim 1 recites "header" in lines 12 and 15", and "prefixed header" in line 14. Further clarification is necessary to distinguish "header", "prefixed header", and "1394 header".

Referring to claims 5-6: Claims 5-6 recite "header" and "network header" in lines 10-11, 13, and 21, which lack antecedent basis in the claims and are indefinite. The parent claim 1 recites "header" in lines 12 and 15", and "prefixed header" in line 14. Further clarification is necessary to distinguish "header", "prefixed header", and "network header".

Referring to claim 7: Claim 7 recites "1394 header" in line 27, which lacks antecedent basis in the claim and is indefinite. The parent claim 1 recites "header" in lines 12 and 15, and "prefixed header" in line 14. The parent claim 5 recites "header" and "network header" in lines 10-11, and 13. Further clarification is necessary to distinguish the "header", "prefixed header", "1394 header", and "network header".

Referring to claims 14-15: Claims 14-15 recite "header" and "network header" lines 14-15, 25-26, which lack antecedent basis in the claim and are indefinite. Further clarification is necessary to distinguish "header" and "network header".

Referring to claim 16: Claim 16 recites "1394 header" in line 31 on page 26, which lacks antecedent basis in the claim and are indefinite. The parent claims 14-15 recite "header" and "network header" in lines 14-15 and 25-26. Further clarification is necessary to distinguish "header", "network header", and "1394 header".

Referring to claim 26: Claim 26 recites "1394 header" and "header" in lines 20 and 23-24 on page 30, which lacks antecedent basis in the claim and are indefinite.

Referring to claim 27: Claim 27 recites "header" and "network header" in lines 30-32 on page 30, which lacks antecedent basis in the claim.

Referring to claim 28: Claim 28 recites "network header" and "header" in lines 6-7 on page 31, which lacks antecedent basis in the claim.

Referring to claim 29: Claim 29 recites "1394 header" in line 13 on page 31, which lacks antecedent basis in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3, 11, 24, and 33-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Stancil (U.S. Patent No. 5,963,431). Stancil discloses a computer system with a CPU, two 1394 interfaces (column 3, lines 7-13, column 7, 3rd paragraph), and a bus (column 4, 2nd paragraph). The IEEE 1394 standard, which is incorporated by Stancil, explicitly defines the 1394's layers and data header's definition. Therefore, Stancil reads on applicants' claims.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 3, 10-11, 19, 24, and 32-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stancil (U.S. Patent No. 5,963,431) in view of the IEEE Computer Society's article, "IEEE Standard1394 - IEEE Standard for a High Performance Serial Bus".

Referring to claims 1, 11, 24, and 33-38: Stancil discloses a computer system with a CPU, two 1394 interfaces (column 3, line 7-13, column 7, 3rd paragraph), and a bus (column 4, 2nd paragraph). The IEEE Computer Society explicitly defines 1394's link layer, physical layer (page 22), and the data header/sub-header (page 144, figure 6-2, header quadlet and other header quadlets). The IEEE Computer Society teaches that the data header's spec and 1394's layers are well known in the computer art. Therefore, it would have been obvious to one having ordinary skill in the art at the time applicant's invention was made to adapt or incorporate the IEEE standard into the system of Stancil to be conformed with industrial standards.

Referring to claim 3: The IEEE Computer Society discloses the definition of the data package's header on page 144. It teaches that the header's definition is well known in the computer technology. Therefore, it would have been obvious to one having ordinary skill in the art at the time applicant's invention was made to adapt IEEE's header definitions onto Stancil to be conformed with industrial standard.

Referring to claims 10, 19, and 32: The PCI bus is well known and standard on every computer system at the time applicant made the invention, and the PCI bus does not hinder Stancil's intended functions. Therefore, one having ordinary skill in the art at time the applicant made the invention would have been motivated to adapt PCI bus onto the Stancil in order to conform to industrial standard.

9. Claims 2, 4-7, 9, 12, 13-16, 18, 20-23, 25-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stancil in view of the IEEE Computer Society, and in further view of Alan Wetzel's article IEEE 1394 - The Cable Connection to Complete The Digital Revolution, July 7, 1997.

Referring to claims 2, 12, and 25: The Stancil discloses a system with two 1394 interfaces connecting to two separate 1394 devices. Wetzel teaches a system connecting to a digital camera via a 1394 interface. Hence, it would have been obvious to one having ordinary skill in the art at the time applicant made the invention to adapt the 1394 digital camera into the system of Stancil because the 1394 can isochronously transmit video data; it would also have been obvious to one to adapt two digital cameras into the system of Stancil because each camera can transmit and receive video data separately.

Referring to claims 4, 13, 20-21, and 26: The IEEE Computer Society (page 144) discloses the data package's header and CRC information, and the transmission of the data package. It teaches that it is known to pack and transmit data among different 1394 devices and other peripheral devices. Therefore, it would have been obvious to one having ordinary skill in the art at the time applicant made the invention to connect a digital camera to a system and transmit digital video data via the 1394 bus because of 1394's isochronously data transfer capability.

Referring to claims 5-7, 9, 14-16, 18, 27-29, and 31: Wetzel teaches that it is known to place the system with 1394 interfaces into a network environment at the time applicant made the invention, and the network connection will not hinder Stancil's intended functions. Hence, it would have been obvious to one having ordinary skill in the art to adapt a network connection into the system of Stancil because it enables Stancil to transmit and receive data via a network.

Referring to claim 22: Wetzel discloses a network with ATM switches, which provides speed at more than one gigabit per second. It teaches that it is known to connect 1394 device to a high-speed network with gigabit bandwidth. Hence, it would have been obvious to one having ordinary skill in the art to connect high-speed network to the 1394 device system because it provides a compatible network transmitting speed for 1394 bus.

Referring to claim 23: The PCI bus is commonly known and widely adapted at time applicant made the invention. It would have been obvious to one having ordinary skill in the art to connect the PCI bus with 1394 interface because the PCI bus is a widely adapted industrial protocol.

10. Claims 8, 17, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stancil in view of the IEEE Computer Society, further in view of Wetzel, and further in view of Mayercheck et al. (U.S. Patent No. 5,161,857). Mayercheck teaches in column 5, lines 65-68, that it is known to adapt a video monitor for displaying either digital data or analog data from a camera. Therefore, it would have been obvious to one having ordinary skill in the art at the time applicant made the invention to adapt the monitor because the monitor provides an enhanced visual display.

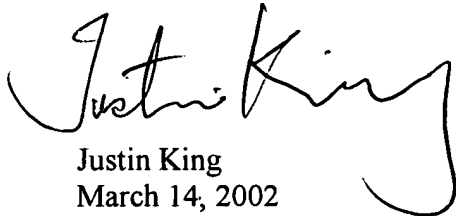
11. Claims 10, 19, 23, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stancil (U.S. Patent No. 5,963,431) in view of the IEEE Computer Society, and further in view of Stanley et. al. (U.S. Patent No. 6,061,746). Stanley teaches a system with two sequentially connected 1394 interfaces and a PCI bus. Therefore, it would have been obvious to one having ordinary skill in the art at the time applicant made the invention to adapt the PCI bus into the system of Stancil because it enables 1394 device to communicated with any industrial standard PCI device.

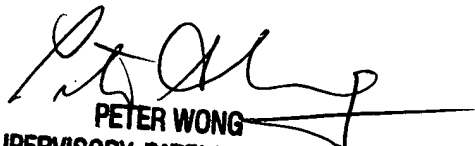
Conclusion

12. Any inquiry concerning this communication earlier communication from the examiner should be directed to Justin King whose telephone number is (703) 305-4571. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephones are unsuccessfully, the examiner's supervisor, Peter Wong can be reached at (703) 305-3477.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703)-306-5631.


Justin King
March 14, 2002


PETER WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100